

On January 26, 2007 appellant, a 51-year-old security clerk, filed an occupational disease claim alleging that she injured her right thumb and index finger in the performance of duty. She attributed her right hand condition to computer work and repeatedly pushing the intercom button. Appellant was first aware of her condition on October 6, 2006, but did not realize it was

employment related until December 6, 2006. No medical evidence accompanied her claim.¹ On February 2, 2007 the Office advised appellant of the need for both factual and medical information regarding her claimed condition. The Office subsequently received a February 5, 2007 note from Dr. David B. Kornreich, M.D., who advised that appellant was under his care for a right trigger finger.²

In a decision dated April 23, 2007, the Office denied appellant's claim. Appellant had not established that her claimed right hand condition was due to her employment exposure.

LEGAL PRECEDENT

A claimant seeking benefits under the Federal Employees' Compensation Act³ has the burden of establishing the essential elements of his or her claim by the weight of the reliable, probative and substantial evidence, including that an injury was sustained in the performance of duty as alleged and that any specific condition or disability claimed is causally related to the employment injury.⁴

To establish that an injury was sustained in the performance of duty, a claimant must submit: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant.⁵

ANALYSIS

The medical evidence indicates that appellant was being treated for a right trigger finger. However, Dr. Kornreich's February 5, 2007 treatment note did not indicate that appellant's right trigger finger was specifically due to computer work and repeated intercom use as alleged or to appellant's employment in general. In fact, Dr. Kornreich did not offer an opinion on causal relationship or identify a date of injury. Thus, appellant has failed to establish a causal

¹ Appellant indicated on the claim form that she had a doctor's appointment scheduled for February 5, 2007.

² Dr. Kornreich later advised the Office that he required payment in advance for preparation of a complete medical report. On March 22, 2007 the Office informed Dr. Kornreich that it did not prepay for medical reports and advised him of the procedures for submitting a claim for services performed.

³ 5 U.S.C. §§ 8101-8193 (2000).

⁴ 20 C.F.R. § 10.115(e), (f) (2007); see *Jacquelyn L. Oliver*, 48 ECAB 232, 235-36 (1996). Causal relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence. See *Robert G. Morris*, 48 ECAB 238 (1996). A physician's opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors must be based on a complete factual and medical background of the claimant. *Victor J. Woodhams*, 41 ECAB 345, 352 (1989). Additionally, in order to be considered rationalized, the opinion must be expressed in terms of a reasonable degree of medical certainty, and must be supported by medical rationale, explaining the nature of the relationship between the diagnosed condition and appellant's specific employment factors. *Id.*

⁵ *Victor J. Woodhams*, *supra* note 4.

relationship between her diagnosed condition and her federal employment. Accordingly, the Office properly denied appellant's January 26, 2007 occupational disease claim.

CONCLUSION

The Board finds that appellant failed to establish that she sustained an injury in the performance of duty.

ORDER

IT IS HEREBY ORDERED THAT the April 23, 2007 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: October 16, 2007
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

David S. Gerson, Judge
Employees' Compensation Appeals Board

James A. Haynes, Alternate Judge
Employees' Compensation Appeals Board